



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 22-1179

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Thursday November 10, 2022

International Authorizations Granted

Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)

The following applications have been granted pursuant to the Commission's processing procedures set forth in sections 63.12, 63.20 of the Commission's rules, 47 CFR §§ 63.12, 63.20, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing the applications as accepted for filing.

Unless otherwise noted, these grants authorize the applicants: (1) to become a facilities-based international common carrier subject to 47 CFR §§ 63.21, 63.22; and/or (2) to become a resale-based international common carrier subject to 47 CFR §§ 63.21, 63.23; (3) to assign or transfer control of international section 214 authority in accordance with 47 CFR § 63.24; or (4) to exceed the foreign ownership benchmarks applicable to common carrier radio licensees under 47 U.S.C. § 310(b); see Subpart T of Part 1 of the Commission's rules, 47 CFR §§ 1.5000-5004.

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 CFR §§ 1.106, 1.115, in regard to the grant of any of these applications may be filed within thirty days of this public notice (see 47 CFR § 1.4(b)(2)).

Assignment

Grant of Authority

Date of Action: 11/04/2022

Current Licensee: Consolidated Communications Holdings, Inc.**FROM:** Consolidated Communications Holdings, Inc.**TO:** Everfast Fiber Networks LLC

Consolidated Communications Holdings, Inc. (Consolidated) filed an application for consent to the assignment of part of its customer base and other assets to Everfast Fiber Networks LLC f/k/a Boulevard Digital LLC (Everfast). Applicants filed a supplement on May 26, 2022.

Pursuant to a March 2, 2022, Assets Purchase Agreement, Everfast will acquire the customer base and other assets associated with Consolidated's telecommunications services provided in the states of Kansas and Missouri within the Kansas City metropolitan area and surrounding counties and municipalities (known as the Kansas City Market). After closing, Consolidated will retain its international section 214 authorization, ITC-214-20030808-00393. Everfast will provide services to its newly acquired customers pursuant to its own international section 214 authorization, ITC-214-20220329-00056.

Everfast, a Delaware limited liability company, was formed for the purpose of acquiring Kansas City Market assets from Consolidated. Everfast is ultimately owned by various limited partnerships managed by and controlled by Astatine Holdings LLC f/k/a/ Alinda Holdings, LLC (Astatine Holdings), a Delaware limited liability company and investment entity.

Everfast is wholly owned by Boulevard Digital Partners Holding Company LLC, which in turn is wholly owned by Boulevard Digital Partners Parent LLC (Boulevard Digital Parent), both Delaware limited liability companies. Boulevard Digital Parent is owned by Boulevard Digital Partners Interim Blocker LLC (Boulevard Interim Blocker) (57.68%) and Boulevard Digital Co-Investment A LP (Boulevard Co-Investment) (41.18%), both Delaware entities.

Boulevard Interim Blocker is majority owned (99.80%) by Boulevard Digital Partners Blocker, Inc., a Delaware corporation, for which the sole voting shareholder is Alinda F4 GP LLC (Alinda F4 GP), a Delaware limited liability company. Alinda F4 GP holds the other 0.2% interest in Boulevard Digital Partners Blocker. Alinda Infrastructure Fund IV (Euro) SCSp (Alinda SCSp), a Luxembourg entity, has a 93.75% equity interest in Boulevard Digital Partners Blocker. Other Alinda funds for which Alinda F4 GP is the general partner hold the other 6.25% equity interest in Boulevard Digital Partners Blocker. The general partner of Alinda SCSp is Alinda Infrastructure Fund IV (Euro) GP S.a.r.l. (Alinda GP), a Luxembourg entity. Stichting Pensioenfond PGB (Tranche IV-1) has a 62.38% limited partnership interest in Alinda SCSp and Stichting Pensioenfond PGB (Tranche IV-2) has a 20.79% limited partnership interest, both Luxembourg entities.

Boulevard Co-Investment is held by Lothian Pension Fund (50%), a Scottish pension fund, and Boulevard Digital Partners Co-Investment Blocker, Inc. (30%), a Delaware corporation. The sole equity shareholder of Boulevard Digital Partners Co-Investment Blocker, Inc. is The Fife Pension Fund, a Scotland entity. The general partner for Boulevard Co-Investment is Boulevard Digital Co-Investment GP LLC (Boulevard Digital GP), a Delaware limited liability company, which also holds the voting shares of Boulevard Digital Partners Co-Investment Blocker, Inc. Alinda F4 GP is the general partner of Boulevard Digital GP.

Astatine Holdings is the general partner of Alinda GP and Alinda F4 GP. Astatine Investment Partners LLC f/k/a Alinda Holdings Acquisition LLC (AHA), a Delaware limited liability company, holds an 1000% equity interest in Astatine Holdings. The following two individuals hold interests in AHA: James Metcalfe (50.50%), a U.S. citizen, and Andrew Bishop (49.50%), a United Kingdom citizen.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on November 2, 2022, by the National Telecommunications and Information Administration on behalf of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector. Accordingly, we condition grant of this application on Everfast abiding by the commitments and undertakings set forth in the Letter of Agreement from James M. Metcalfe, President, Everfast Fiber Networks LLC to the Chief, Foreign Investment Review Section, Deputy Chief, Compliance and Enforcement, on behalf of the Assistant Attorney General for National Security, United States Department of Justice, National Security Division, dated October 12, 2022 (LOA).

A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of this grant and the underlying international section 214 authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission.

The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System by searching for ITC-ASG-20220329-00045 or ITC-214-20220329-00056 and accessing the "Other Filings related to this application" from the Document Viewing Area.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

Assignment

Grant of Authority

Date of Action: 11/04/2022

Current Licensee: PriorityOne Telecommunications, Inc.**FROM:** PriorityOne Telecommunications, Inc.**TO:** Zipty Fiber Pacific LLC

PriorityOne Telecommunications, Inc. (PriorityOne) filed an application for the assignment of assets to Zipty Fiber Pacific LLC (Zipty Fiber Pacific). The Applicants filed supplements to the application on August 22, 2022, September 9, 2022, October 12, 2022, and October 14, 2022.

Specifically, Zipty Fiber Pacific will acquire from PriorityOne various rights, property, and assets (including all customer contracts and customer relationships) used in or necessary for the business of providing, for consumer and commercial use, broadband and voice services, including transport, transit, voice, data, and other telecommunications services, throughout PriorityOne's service territory. PriorityOne will retain its international section 214 authorization (ITC-214-20101208-00473). Zipty Fiber Pacific will provide international service to its newly acquired customers under the international section 214 authority held by its parent, Northwest Fiber LLC (Northwest Fiber) (ITC-214-19971202-00753; ITC-214-20001121-00680; ITC-214-20090528-00565) pursuant to section 63.21(h) of the Commission's rules. 47 CFR § 63.21(h).

Zipty Fiber Northwest is a direct wholly owned subsidiary of Northwest Fiber, which is an indirect wholly owned subsidiary of Northwest Fiber Holdco, LLC (Northwest Fiber Holdco), all Delaware limited liability companies. Searchlight II OPT, L.P., a Delaware limited partnership, holds an 80% equity and voting interest in Northwest Fiber Holdco. Steve Weed, a U.S. citizen, holds a 10% equity and voting interest in Northwest Fiber Holdco. According to the Applicants no other individual or entity holds a 10% or greater direct interest in Northwest Fiber Holdco.

Searchlight II OPT, L.P. is ultimately controlled by Searchlight Capital Partners II GP, LLC (Searchlight Upper GP), a Delaware limited liability company. Searchlight Upper GP is owned by three individuals, each with 33.33% equity and voting interests: Eric Zinterhofer, a U.S. citizen; Erol Uzumeri, a citizen of Canada; and, Oliver Haarmann, a citizen of Germany.

Searchlight II OPT GP, LLC, a Delaware limited liability company, is the general partner of Searchlight II OPT, L.P., holding 100% voting and 0% equity interests. The following Delaware entities hold the direct equity interests in Searchlight II OPT, L.P.: (1) SC II OPT Co-Invest Holdings, LLC (Co-Invest Holdings) (67%); (2) SC II PV OPT, L.P. (14%); (3) SC II OPT, L.P. (11%); (4) Searchlight Capital II OPT C-Invest Partners US, L.P. (5%); and, (5) Searchlight Capital II (FC) AIV, L.P. (3%). The following Delaware entities hold direct interests in Searchlight II OPT GP, LLC: (1) SC II OPT Co-Invest Holdings, LLC (69% equity and voting); (2) SC II PV OPT, L.P. (15% equity and voting); (3) SC II OPT, L.P. (11% equity and voting); and (4) Searchlight Capital II OPT C-Invest Partners US, L.P. (5% equity and voting).

Co-Invest Holdings is wholly owned by Searchlight Capital II OPT Co-Invest Partners, L.P. (Searchlight Co-Invest LP). SC II OPT Co-Invest GP, LLC is the general partner of Searchlight Co-Invest LP and Searchlight Capital II OPT C-Invest Partners US, L.P., all Delaware entities.

SC II PV Outpost Holdings, LLC holds 100% equity interest in SC II PV OPT, L.P. both Delaware entities. SC II PV Outpost Holdings, LLC is wholly owned by Searchlight Capital II OPT PV, L.P., a Delaware entity. Searchlight Capital II OPT Feeder, L.P., a Cayman Islands entity, has a 54% equity interest in Searchlight Capital II OPT PV, L.P.

Searchlight Capital II, L.P., a Cayman Islands entity, holds a direct 88% equity interest in SC II OPT, L.P. and an indirect 12% equity interest through SC II Outpost Holdings, LLC, a Delaware entity, that is wholly owned by Searchlight Capital II, L.P.

Searchlight Upper GP is the general partner of Searchlight Capital Partners II GP, L.P. (Searchlight GP), a Cayman Islands entity. Searchlight GP is the general partner of (1) Searchlight Capital II, L.P., (2) SC II OPT, L.P., (3) Searchlight Capital II (FC) AIV, L.P., (4) SC II PV OPT, L.P., (5) Searchlight Capital II OPT PV, L.P., and (6) Searchlight Capital II OPT Feeder, L.P. Searchlight GP also wholly owns SC II OPT Co-Invest GP, LLC.

IMPCE 2019 Inc., which is wholly owned by the British Columbia Investment Management Corporation, both Canada entities, holds indirect 15.5% equity and 29% voting interests in Northwest Fiber Holdco through Co-Invest Holdings. Port-aux-Choix Private Investments Inc., which is wholly owned by the Public Sector Pension Investment Board, both Canada entities, holds indirect 26.5% equity and 47.6% voting interests in Northwest Fiber Holdco through Co-Invest Holdco and Searchlight Capital OPT PV, L.P. CPP Investment Board Private Holdings (4) Inc., which is wholly owned by the Canada Pension Plan Investment Board, both Canada entities, holds indirect 16.7% equity and 29.8% voting interests in Northwest Fiber Holding through Co-Invest Holdings and Searchlight Capital OPT PV, L.P. The Applicants state that no other individuals or entities hold a 10% or greater direct or indirect equity or voting interest in Northwest Fiber Holdco or Zipty.

The Commission determined in the Executive Branch Review Process Order that it would not routinely refer to the Executive Branch applications where the Applicants have "an existing mitigation agreement, there are no new reportable foreign owners of the applicant since the effective date of the mitigation agreement, and the applicant agrees to continue to comply with the terms of that mitigation agreement." Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927, 10939, para. 30 (2020) (Executive Branch Review Process Order). The Applicant argues that, consistent with the decision in the Executive Branch Review Process Order, the Application meets the conditions of an identified category of applications that the Commission determined it would not refer to the Executive Branch. The Applicants state that Northwest Fiber, the direct parent of Zipty Fiber Pacific, is party to a November 21, 2019 Letter of Agreement with the Department of Justice (2019 LOA). Application at 21. See Applications Filed for the Transfer of Control of Certain Subsidiaries of Frontier Communications Corporation to Northwest Fiber, LLC, Memorandum Opinion And Order And Declaratory Ruling, WC Docket No. 19-188, 34 FCC Rcd 12344 (WCB/IB/WTB 2019). The Applicants state that the 2019 LOA remains in place, that there are no new reportable foreign owners of Northwest Fiber since the Executive Branch agencies' review of the Frontier transaction, and that Zipty Fiber Pacific and Northwest Fiber agree to comply with the terms of the 2019 LOA. Application at 21. We find that Applicants have made a showing that this Application comes within an exclusion from referral to the Executive Branch for national security, law enforcement, foreign policy and trade policy review. Although we did not formally refer the Application, per standard practice, we provided a courtesy copy of the public notice to the Executive Branch agencies. See Executive Branch Review Process Order at 10939, para 30, n. 81.

INFORMATIVE

ITC-STA-20221020-00129

Xtel Communications, Inc.

We grant the request for special temporary authority (STA) filed on October 20, 2022, by Xtel Communications, Inc. (Xtel), to continue to provide international resold telecommunications service while the Commission considers the application for international section 214 authority (ITC-214-20221005-00121).

Xtel acknowledges that grant of such STA will not prejudice action by the Commission on the underlying application, and that the STA is subject to cancellation or modification upon notice without a hearing. The STA expires on May 1, 2023.

SURRENDER

ITC-214-20000502-00280

Moundridge Telcom, Inc.

By letter filed on November 2, 2022, Moundridge Telcom, Inc. notified the Commission of the surrender of its international section 214 authorization effective November 2, 2022.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List is maintained in the FCC Reference Information Center and is available at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>. It is also attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 CFR § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 CFR § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 CFR Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier. 47 CFR § 63.22(h). A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s). Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination. See Process For The Filing Of Routes On Which International Service Providers Have Direct Termination Arrangements With A Foreign Carrier, ITC-MS-20181015-00182, Public Notice, 33 FCC Rcd 10008 (IB 2018).
- (8) Any U.S. Carrier that owned or leased bare capacity on a submarine cable between the United States and any foreign point must file a Circuit Capacity Report to provide information about the submarine cable capacity it holds. 47 CFR § 43.82(a)(2). See <https://www.fcc.gov/circuit-capacity-data-us-international-submarine-cables>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.

(12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

(13) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 CFR §§ 1.20000 et seq.

(14) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 CFR §§ 1.47(h), 64.1195.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 CFR § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 CFR § 63.22(c).

Countries:

None.

Facilities:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at <https://www.fcc.gov/approved-space-station-list>.

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>.

For additional information, contact the International Bureau's Telecommunications and Analysis Division, (202) 418-1480.